



IT IS ORDERED as set forth below:

Date: November 15, 2009

A handwritten signature in black ink, appearing to read "Robert E. Brizendine", is written over a horizontal line.

**Robert E. Brizendine
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

IN RE:

CASE NO. 09-23168-REB

CHRISTOPHER KNOX AUSTIN (A/K/A
CHRISTOPHER K. AUSTIN; A/K/A
CHRISTOPHER AUSTIN),
Debtor.

CHAPTER 7

MORTGAGE ELECTRONIC REGISTRATION
SYSTEM, INC. AS NOMINEE FOR U.S. BANK,
N.A.,
Movant.

v.

CONTESTED MATTER

CHRISTOPHER KNOX AUSTIN (A/K/A
CHRISTOPHER K. AUSTIN; A/K/A
CHRISTOPHER AUSTIN),
BRADLEY J. PATTEN, ESQ., Trustee,
Respondents.

ORDER ON MOTION FOR RELIEF FROM STAY

Movant filed a Motion for Relief from Stay October 20, 2009, together with a Notice of Hearing set for November 10, 2009 (Doc. No. 15), regarding Debtor's real estate located at 5528

Mountain View Parkway, Lula, GA 30554 (the "Property") and contends service was proper upon the above-captioned Respondents. Respondents did not oppose Movant's Motion: accordingly, it is hereby

ORDERED that Movant's Motion for Relief from Stay is GRANTED: the automatic stay of 11 U.S.C. §362 (a) pertaining to the Property is modified to allow Movant to exercise its rights under the power of sale provisions contained in the Security Deed and as provided for by the laws of the State of Georgia including, but not limited to, advertising to effectuate a foreclosure sale at the earliest possible date and gaining possession of the Property; provided, however, that any proceeds resulting from the disposition of the Property in excess of the lawful claim of Movant under its Note and Security Deed shall be promptly remitted to the Trustee for the benefit of the Estate. It is further

ORDERED that the stay of Rule 4001(a)(3) is modified so that Movant may immediately proceed under this Order.

[END OF DOCUMENT]

PRESENTED BY:

By: /s/William J. Layng, Jr.
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